

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT J. CAFFREY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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Case No. 5:09-CV-427

JUDGE KATHLEEN O'MALLEY

ORDER

Before the Court is Defendant, Commissioner of Social Security's (the "Commissioner"), *Motion to Remand* (Doc. 10). Magistrate Judge Kenneth S. McHargh has filed a Report and Recommendation ("R&R") recommending that the Court grant the Commissioner's *Motion to Remand* for good cause shown. (Doc. 11.) Though the time to object to the R&R has not yet passed, plaintiff's counsel has informed the Court that plaintiff does not object to a remand. The Court, moreover, agrees with the Magistrate Judge's finding that the Commissioner has shown good cause to remand. Accordingly, Magistrate Judge McHargh's R&R is ADOPTED, the "Commissioner's *Motion to Remand* (Doc. 10) is GRANTED, and the matter is REMANDED for further administrative action pursuant to section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).¹

IT IS SO ORDERED.

s/Kathleen M. O'Malley
KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE

Dated: May 27, 2009

¹ Either party may file a motion to reopen the case as and when appropriate.